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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,457	01/31/2002	Ken Kutaragi	SCEIYA 3.0-116	2191
530 7590 05/05/2009 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090				
EXAMINER TOLENTINO, RODERICK				
ART UNIT		PAPER NUMBER		
2439				
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05/05/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/066,457

Applicant(s)

KUTARAGI ET AL.

Examiner

Roderick Tolentino

Art Unit

2439

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 43-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 43-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/06)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 43 – 52 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 43, 47 and 52 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 43 – 52 are rejected under 35 U.S.C. 102(e) as being anticipated by Salmonsens et al. U.S. Patent No. (7,178,169).
5. As per claims 43, 47 and 51 Salmonsens discloses a first information processing apparatus having a user interface for receiving input including a password from a user and for providing output to the user (Salmonsens, Col. 5 Lines 50 – 62, user interface that accepts a password and communicates with secure server), a second information processing apparatus including a database, said second information processing

apparatus capable of being connected to the first information processing apparatus via a network (Salmonsens, Col. 9 Lines 34 – 36, Disk Ids stored in a database), wherein the second information processing apparatus is operable to receive first identification information, and second identification information and the password over the network from the first information processing apparatus (Salmonsens, Col. 5 Lines 50 – 62, secure server for authentication to receive data from user interface), the first identification information identifying at least one of the first information processing apparatus or a user of the first information processing apparatus (Salmonsens, Col. 5 Lines 50 – 62, User data and Col. 9 Lines 23 – 28, symmetric key associated with a drive), the second identification information identifying a program stored on a recording medium coupled to the first information processing apparatus (Salmonsens, Col. 9 Lines 32 – 36, disk id), the second information processing apparatus being operable to verify whether the received first and second identification information and the password match data stored in the database, such that when each of the first and second identification information matches the data stored in the database, or the second identification information matches the data stored in the database and a password inputted by the user at the first information processing apparatus is valid (Salmonsens, Col. 9 Lines 64 – Col. 10 Lines 7, authenticates a user based on a particular disk being requested), the second information processing apparatus permits the first information processing apparatus to execute the program (Salmonsens, Col. 7 Lines 7 – 11, data being played after authorization).

6. As per claims 44 and 48, Salmonsén discloses the first identification information includes a user ID identifying the user (Salmonsén, Col. 5 Lines 50 – 62, User data).
7. As per claims 45 and 49, Salmonsén discloses the first identification information includes a device ID identifying the first information processing apparatus (Salmonsén, Col. 9 Lines 23 – 28, symmetric key associated with a drive).
8. As per claims 46 and 50, Salmonsén discloses the device ID is unique to the first information processing apparatus (Salmonsén, Col. 9 Lines 23 – 28, symmetric key associated with a drive).
9. As per claim 52, Salmonsén discloses a database and being operable to receive a password inputted by a user at the first information processing apparatus and first identification information and second identification information over the network from the first information processing apparatus (Salmonsén, Col. 5 Lines 50 – 62, user interface that accepts a password and communicates with secure server), the first identification information identifying at least one of the first information processing apparatus or a user of the first information processing apparatus and the second identification information identifying a program stored on a recording medium coupled to the first information processing apparatus (Salmonsén, Col. 5 Lines 50 – 62, User data and Col. 9 Lines 23 – 28, symmetric key associated with a drive), and verify whether the received first and second identification information and the password match data stored in the database, such that when each of the first and second identification information matches the data stored in the database, or each of the second identification information and the password matches the data stored in the database (Salmonsén,

Col. 9 Lines 64 – Col. 10 Lines 7, authenticates a user based on a particular disk being requested), the second information processing apparatus permits the first information processing apparatus to execute the program (Salmonsens, Col. 7 Lines 7 – 11, data being played after authorization).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roderick Tolentino whose telephone number is (571) 272-2661. The examiner can normally be reached on Monday - Friday 9am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on (571) 272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Roderick Tolentino

Art Unit: 2439

Examiner
Art Unit 2439

Roderick Tolentino
/R. T./
Examiner, Art Unit 2439

/Kambiz Zand/
Supervisory Patent Examiner, Art Unit 2434